

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	18cv7291 (DLC)
AVALON HOLDINGS CORP.,	:	18cv8896 (DLC)
	:	
Plaintiff,	:	
-v-	:	<u>ORDER</u>
	:	
GUY GENTILE and MINTBROKER	:	
INTERNATIONAL, LTD.,	:	
	:	
Defendants.	:	
-----	X	
	:	
NEW CONCEPT ENERGY, INC.,	:	
	:	
Plaintiff,	:	
-v-	:	
	:	
GUY GENTILE and MINTBROKER	:	
INTERNATIONAL, LTD.,	:	
	:	
Defendants.	:	
-----	X	

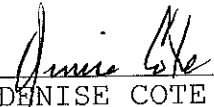
DENISE COTE, District Judge:

On May 9, 2022, plaintiffs Avalon Holdings Corp. and New Concept Energy, Inc. moved for entry of judgment in these related actions. It is hereby

ORDERED that the plaintiffs' May 9 motions are denied as moot. On April 8, 2022, the Honorable Vernon S. Broderick referred the issue of damages to Magistrate Judge Robert W. Lehrburger for resolution through an inquest. That same day, Magistrate Judge Lehrburger issued a scheduling order directing the plaintiffs to file by May 9, 2022 a brief and affidavit setting forth the damages claimed and the legal and factual

bases for that determination. On May 9, the plaintiffs filed a motion for entry of judgment against the defendants. Since April 8, Judge Lehrburger has supervised discovery on the issue of damages and recently conducted a hearing. During the inquest, the parties have made submissions to Judge Lehrburger directly on the issue of damages. Currently, they are scheduled to file post-hearing submissions addressed to the amount of damages claimed.

Dated: New York, New York  
February 3, 2023

  
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DENISE COTE  
United States District Judge